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JOURNAL

OFFICE OF LEGISLATIVE COUNSEL

Tuesday - 5 August 1969

25X1 1. [] With the Director's concurrence, I called Mr. Doug Baldwin, in the office of Representative John Wold, to say that the Agency was no longer responsible for the pacification program in Vietnam and to suggest that Mr. Wold and his colleagues, Representatives Dennis and Landgrebe, would get a more useful and broader presentation of this and other Vietnam matters from the Defense Department.

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25X1 3. [] Showed Senator Birch Bayh a draft letter to Senator Sam J. Ervin explaining our reasons for opposing publication of the Director's testimony regarding S. 782 before the Constitutional Rights Subcommittee. Senator Bayh said he thought the draft was satisfactory. Discussed with Senator Bayh and Larry Conrad, Chief Counsel of Bayh's Subcommittee on Constitutional Amendments, our draft "fall-back" amendment providing for the intelligence community limited exemptions from S. 782. Bayh indicated that at tomorrow's meeting of the Subcommittee on Constitutional Rights he would raise the possibility of a full exemption for the Agency but if, as expected, this was unacceptable, he would propose our suggested fall-back position.

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25X1 4. [] Senator Birch Bayh said he would like an orientation and defensive briefing on the USSR in preparation for a trip he and his family are making there during the latter part of August. This was arranged for 2:00 tomorrow, 6 August.

25X1 5. [] In a chance encounter, Representative Donald W. Riegle (R., Mich.) said he was planning a visit to Germany during the upcoming congressional recess and might like an Agency briefing prior to departure.

25X1 6. [] In the absence of Senator Roman Hruska, I talked to his Administrative Assistant, Dean Pohlenz, regarding S. 782 (Ervin bill). Pohlenz said Senator Hruska had been quite impressed with the Agency presentation on 22 July and was anxious to be helpful. I explained to Pohlenz the draft amendment for limited exemption for the intelligence community and Pohlenz commented that he thought we had gone as far as possible in meeting Senator Ervin's objections to a complete exemption and was reasonably certain that Senator Hruska would actively support our "fall-back" version.

25X1 7. [] In the absence of Senator Strom Thurmond, met with his Legislative Assistant, Glen Smith, and explained to him our proposal for a limited exemption from S. 782 (Ervin bill). Smith said he was sure Senator Thurmond agreed with our position in principle, but would be reluctant to directly oppose Senator Ervin. However, Smith was sure that Thurmond would privately try to prevail upon Ervin to accept our compromise amendment.

25X1 8. [] Left with Winston Bryant, Legislative Assistant to Senator John L. McClellan, a copy of our proposed compromise amendment for limited exemption from S. 782. After studying this, Bryant called me to say he would carefully explain it to the Senator and was sure Senator McClellan would support it.

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25X1 9. [] Larry Conrad, Chief Counsel, Subcommittee on Constitutional Amendments, called to say he had been in further negotiation with Marcia MacNaughton, staff of the Constitutional Rights Subcommittee, and felt progress was being made regarding our proposed amendment for limited exemption but he wished to be reassured that we considered the Agency bound under this amendment by all of the provisions of S. 782 except Section 1(k), Section 4 and Section 5. After consulting with Mr. Houston and Mr. Warner, OGC, we called Conrad back to say that this was true but pointed out that our proposed amendment specifically provided that nothing in the Act should affect the Director's authority as set forth in Section 102(c) of the National Security Act of 1947. We explained our view that this Act did not seem directly related to S. 782--that Section 102(c) was intended, and interpreted, to take care of special cases affecting the national security, etc., but apparently would have no bearing on cases arising from a violation of the provisions of S. 782. Conrad said this was his impression but he appreciated our comments.

Conrad said that Miss MacNaughton had expressed some optimism that our compromise proposal might be acceptable.

25X1 10. [] Talked to Mr. Pat Holt, Senate Foreign Relations Committee staff, and advised in response to his question to Mr. Houston yesterday that the Agency has not subsidized the Hawthorne Press and Pergammon Press. Mr. Holt indicated he was sure this would be the case. 25X1

25X1 11. [] Received a call from Mr. James Cline, Counsel, House Immigration and Nationality Subcommittee, who advised he will be traveling with Representatives Byron G. Rogers (D., Colo.) and Clark MacGregor (R., Minn.) to Warsaw and Prague probably departing sometime next week. It would be appreciated if a country briefing could be provided some time on Friday.

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25X1 12. [] Talked to Mr. Robert Hull, Department of State, concerning the status of the [] legislation and advised that no final Agency decision has been made as to the substantive provisions to be included in updating the Agency's retirement program pending passage of this legislation. Mr. Hull indicated that the Department of State has had no further conversations with the House Foreign Affairs Committee which is fairly well geared to introduction of amendments to the Foreign Service Act along the lines of the [] legislation.

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25X1 14. [] Met with Mr. Charles Ward, Administrative Assistant to Representative Carl Albert (D., Okla.), and ascertained that Mr. Albert was invited to attend the San Clemente, California, conference with the President on 22 August, but that no followup had been received from the White House. No plans have been made for Mr. Albert to attend. See memorandum for the record.

25X1 15. [] Delivered to Miss Marcia MacNaughton, and Mr. Lawrence M. Baskir, Ervin Constitutional Rights Subcommittee staff, a letter from the Director to Senator Ervin concerning classification review and publication of the transcript of the DCI testimony before the Ervin Subcommittee on 22 July 1969. See memorandum for the record.

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[]

JOHN M. MAURY
Legislative Counsel

cc:
Ex/Dir-Compt
O/DDCI

25X1 []
Mr. Houston
Mr. Goodwin
DDS
DD/I
DD/S&T
OPPB
EA/DDP

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